

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS LOCAL
UNION NO. 22; IBEW LOCAL 22/NECA
HEALTH AND WELFARE PLAN; IBEW
LOCAL 22/NECA PENSION PLAN A;
IBEW LOCAL 22/NECA DEFINED
CONTRIBUTION PLAN B; OMAHA
BROTHERHOOD OF ELECTRICAL
WORKERS LOCAL 22 VACATION-
HOLIDAY TRUST FUND; NEBRASKA
ELECTRICAL JOINT APPRENTICESHIP
AND TRAINING TRUST FUND;
NATIONAL ELECTRICAL BENEFIT
FUND; LOCAL LABOR MANAGEMENT
COOPERATION COMMITTEE,
NATIONAL LABOR MANAGEMENT
COOPERATION COMMITTEE, and
NATIONAL ELECTRICAL
CONTRACTORS ASSOCIATION

Plaintiffs,

v.

LANGER ELECTRIC COMPANY, INC.,

Defendant.

8:21CV263

ORDER

This matter is before the Court on the plaintiffs' Motion for Release of Funds (Filing No. 37) from garnishee Foundation One Bank ("Foundation One"). Foundation One currently has \$55,131.39 of defendant Langer Electric Company, Inc.'s ("Langer Electric") funds in its possession. In response to the plaintiffs' interrogatories, *see* Fed. R. Civ. P. 69(a)(2), Foundation One confirmed it possesses \$42,115.39 of funds belonging to defendant Langer Electric. Foundation One further stated it "owe[s] Langer Electric

money for two invoices.” One invoice is for \$12,871.00 and was due October 6, 2022. The other is for \$145.00 and was due September 9, 2022.

For good cause shown, the Court finds the motion for release of funds should be granted. Accordingly,

IT IS ORDERED:

1. Foundation One Bank is ordered to set aside \$55,131.39 on behalf of the plaintiffs and, within twenty days, deliver said funds to the Court to partially satisfy defendant Langer Electric Company, Inc.’s adjudged indebtedness.
2. The Clerk of Court is directed to send payment of those funds to the plaintiffs by check or money order, payable to “IBEW Local Union No. 22/NECA Fringe Benefit Funds,” at the office of the plaintiffs’ counsel, Blake & Uhlig, P.A., at 753 State Avenue, Suite 475, Kansas City, Kansas 66101, to the attention of Frederick Zarate.

Dated this 18th day of October 2022.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Robert F. Rossiter, Jr.", with a stylized flourish at the end.

Robert F. Rossiter, Jr.
Chief United States District Judge